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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,731	11/13/2001	Roswell R. Roberts III	12984US02	1732

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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/990,731	Applicant(s) ROBERTS ET AL.	
	Examiner Joseph R. Pokrzywa	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14-19 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-19 and 21-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 3/3/06, and has been entered and made of record. Currently, **claims 1-12, 14-19, and 21-27** are pending.

Response to Arguments

2. Applicant's arguments filed 3/3/06 regarding the currently amended **claims 1, 8, 15, and 21**, which were cited in the Office action dated 11/17/05 as being anticipated by Shiraogawa *et al.* (U.S. Patent Number 5,343,305), have been fully considered but they are not persuasive.

3. Upon review of the reference of Shiraogawa, the examiner notes that Shiraogawa can still be interpreted as anticipating the claims, as currently worded.

4. In response to applicant's argument regarding the rejection of **claims 1, 8, 15, and 21**, whereby applicant argues on pages 8 and 9 that Shiraogawa fails to teach of an affiliate faxing a document to more than one recipient. The examiner notes that as seen in Fig. 1, and read in column 5, lines 9-18, a plurality of receiving facsimile devices 30 are shown. Further, as read in column 5, line 65-column 6, line 24, Shiraogawa states that "this combination is used for the simultaneous multiple address communications within the group indicated by digits 1 to 8. In other words, a simultaneous transmission is made to the facsimile devices of multiple terminal stations (40a, 40b...) within these groups." With this, Shiraogawa can still be interpreted as anticipating the claims. Subsequently, the rejection of **claims 1, 8, 15, and 21**, as cited in the Office action dated 11/17/05 under 35 U.S.C.102(b) as being anticipated by Shiraogawa, is

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maintained and repeated in this Office action. Continuing, for similar reasons as discussed above, the rejection(s) of each of the corresponding dependent claims is also maintained and repeated in this Office action.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. **Claims 1-3, 8, 9, 15, 16, and 21-23** are rejected under 35 U.S.C. 102(b) as being anticipated by Shiraogawa *et al.* (U.S. Patent Number 5,343,305, cited in the Office action dated 11/17/05).

Regarding **claim 1**, Shiraogawa discloses a satellite-based fax distribution system (see Fig. 1) including a producer receiving a document to be faxed and traffic instructions for the document (multiple addressing station 20, column 5, lines 9-39), the producer determining an affiliate based on the traffic instructions and directing the document to the affiliate through the satellite (column 5, lines 19-column 6, line 24), a satellite receiving the document from the producer and transmitting the document to the affiliate (satellite 50, column 5, lines 9-18), and an affiliate receiving the document (terminal station 40a-40b, column 6, lines 37-64) and faxing the document to a plurality of recipients (receiving facsimile device 30, column 3, lines 15-47, column 5, line 65-column 6, line 24, and column 6, lines 37-64).

Regarding **claim 2**, Shiraogawa discloses the system discussed above in claim 1, and further teaches that the traffic instructions include recipient information identifying the recipient (column 5, lines 19-column 6, line 24).

Regarding **claim 3**, Shiraogawa discloses the system discussed above in claim 1, and further teaches that the recipient information is sent to the affiliate (column 5, lines 19-column 6, line 24).

Regarding **claim 8**, Shiraogawa discloses a method for distributing faxes via a satellite-based fax distribution system (column 5, lines 9-39), the method including receiving a document to be faxed (at the multiple addressing station 20, column 5, lines 9-39), receiving traffic instructions regarding the document (column 5, lines 9-39), determining an affiliate based on the traffic instructions at a producer (column 5, line 19-column 6, line 24), directing the document to the affiliate through a satellite (column 5, lines 19-column 6, line 24), receiving the document at the affiliate (being the terminal station 40a-40b, column 6, lines 37-64), and faxing the document from the affiliate to a plurality of recipients (being the receiving facsimile device 30, column 3, lines 15-47, column 5, line 65-column 6, line 24, and column 6, lines 37-64).

Regarding **claim 9**, Shiraogawa discloses the method discussed above in claim 8, and further teaches that the traffic instructions include recipient information identifying the recipient and the recipient information is sent to the affiliate (column 5, lines 19-column 6, line 24).

Regarding **claim 15**, Shiraogawa discloses an affiliate (terminal station 40a-40b, column 6, lines 37-64) in a satellite-based fax distribution system (see Fig. 1), the affiliate including a receiver for receiving a document from a producer over a satellite communication link (column 5, lines 9-54, and column 6, lines 18-54), the document routed from the producer to the receiver by traffic instructions (column 5, line 19-column 6, line 24), a fax system for faxing the document to a plurality of recipients (receiving facsimile device 30, column 3, lines 15-47, column 5, line 65-column 6, line 24, and column 6, line 37-column 7, line 8).

Regarding **claim 16**, Shiraogawa discloses the affiliate discussed above in claim 15, and further teaches that the traffic instructions include recipient information identifying the recipient and the recipient information is sent to the affiliate (column 5, lines 19-column 6, line 24).

Regarding **claim 21**, Shiraogawa discloses a satellite-based fax distribution system (see Fig. 1) including a producer in communication with a satellite (multiple addressing station 20, column 5, lines 9-39), the producer receiving a document to be faxed and traffic instructions for the document (column 5, lines 19-column 6, line 24), the producer determining a plurality of remote affiliates based on the traffic instructions and directing the document to the plurality of remote affiliates through the satellite (column 5, lines 19-column 6, line 24, and column 7, lines 31-48), a satellite receiving the document from the producer and transmitting the document to the plurality of remote affiliates (satellite 50, column 5, lines 9-18), and a plurality of remote affiliates (terminal stations 40a-40b, column 6, lines 37-64), wherein the plurality of remote affiliates receive the document from the satellite (column 6, lines 37-64, and column 7, lines 31-48), and wherein at least one of the plurality of remote affiliates faxes the document to a plurality of remote recipients (receiving facsimile device 30, column 3, lines 15-47, column 5, line 65-column 6, line 24, and column 6, lines 37-64).

Regarding **claim 22**, Shiraogawa discloses the system discussed above in claim 21, and further teaches that the traffic instructions include recipient information identifying the plurality of remote recipients (column 5, lines 19-column 6, line 24).

Regarding **claim 23**, Shiraogawa discloses the system discussed above in claim 21, and further teaches that the recipient information is sent to the plurality of remote affiliates (column 5, lines 19-column 6, line 24).

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. **Claims 4-7, 10-12, 14, 17-19, and 24-27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraogawa *et al.* (U.S. Patent Number 5,343,305, cited in the Office action dated 11/17/05) in view of Shi *et al.* (U.S. Patent Number 6,411,689, cited in the Office action dated 11/17/05).

Regarding ***claims 4, 10, and 24***, Shiraogawa discloses the systems and method discussed above in claims 1, 8, and 21, respectively, but does not expressly disclose if the producer receives the document from a virtual fax print driver.

Shi discloses a satellite-based fax distribution system (see Fig. 2) including a producer receiving a document to be faxed and traffic instructions (being the DIS signals) for the document (intelligent fax relay 16, column 4, lines 4-39, and column 5, line 45-column 6, line 51), the producer directing the document to the affiliate through the satellite (base station 20, and column 5, line 45-column 6, line 51), a satellite receiving the document from the producer and transmitting the document to the affiliate (see Fig. 2), and an affiliate receiving the document (base station 20) and faxing the document to a recipient (fax 24, column 6, lines 24-64). Further, Shi teaches that the producer receives the document from a virtual fax print driver (being inherent in the laptop computer 30, column 4, lines 4-29).

Shiraogawa and Shi are combinable because they are from the same field of endeavor, being systems that transmit facsimile data over a satellite link. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate Shi's teachings in

the system of Shiraogawa. The suggestion/motivation for doing so would have been that that the system of Shiraogawa would become usable by more users, as facsimile data can be transmitted from both facsimile machines and virtual fax drivers, as recognized by Shi in column 4, lines 8-13. Therefore, it would have been obvious to combine Shi's teachings with the system of Shiraogawa to obtain the invention as specified in claims 4, 10, and 24.

Regarding *claims 5, 6, 11, 12, 17, 18, 25, and 26*, Shiraogawa discloses the systems, method, and affiliate discussed above in claims 1, 8, 15, and 21, respectively, but fails to expressly disclose if affiliate includes a memory for storing the document or if the affiliate stores information concerning the document.

Shi discloses a satellite-based fax distribution system (see Fig. 2) including a producer receiving a document to be faxed and traffic instructions (being the DIS signals) for the document (intelligent fax relay 16, column 4, lines 4-39, and column 5, line 45-column 6, line 51), the producer directing the document to the affiliate through the satellite (base station 20, and column 5, line 45-column 6, line 51), a satellite receiving the document from the producer and transmitting the document to the affiliate (see Fig. 2), and an affiliate receiving the document (base station 20) and faxing the document to a recipient (fax 24, column 6, lines 24-64). Further, Shi teaches that the affiliate includes a memory for storing the document (column 6, lines 48-63), and that the affiliate stores information concerning the document (column 4, lines 40-57).

Shiraogawa and Shi are combinable because they are from the same field of endeavor, being systems that transmit facsimile data over a satellite link. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate Shi's teachings in the system of Shiraogawa. The suggestion/motivation for doing so would have been that that the

system of Shiraogawa would conform to well-known standards in wirelessly receiving facsimile data and forwarding the data over a PSTN, since the facsimile data would need to be stored to accommodate for delays between the two networks, as recognized by Shi in column 5, line 13-column 6, line 22. Therefore, it would have been obvious to combine Shi's teachings with the system of Shiraogawa to obtain the invention as specified in claims 5, 6, 11, 12, 17, 18, 25, and 26.

Regarding *claims 7, 14, 19, and 27*, Shiraogawa discloses the systems, method, and affiliate discussed above in claims 1, 8, 15, and 21, respectively, but fails to expressly disclose if the affiliate notifies the producer of the status of the document received by the affiliate.

Shi discloses a satellite-based fax distribution system (see Fig. 2) including a producer receiving a document to be faxed and traffic instructions (being the DIS signals) for the document (intelligent fax relay 16, column 4, lines 4-39, and column 5, line 45-column 6, line 51), the producer directing the document to the affiliate through the satellite (base station 20, and column 5, line 45-column 6, line 51), a satellite receiving the document from the producer and transmitting the document to the affiliate (see Fig. 2), and an affiliate receiving the document (base station 20) and faxing the document to a recipient (fax 24, column 6, lines 24-64). Further, Shi teaches that the affiliate notifies the producer of the status of the document received by the affiliate (column 4, lines 40-57, and column 5, lines 36-44).

Shiraogawa and Shi are combinable because they are from the same field of endeavor, being systems that transmit facsimile data over a satellite link. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate Shi's teachings in the system of Shiraogawa. The suggestion/motivation for doing so would have been that that the

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system of Shiraogawa would conform to well-known standards in facsimile protocol, as a receipt confirmation is inherently transmitted within the T.30 facsimile messages, as recognized by Shi in column 5, line 13-column 6, line 22. Therefore, it would have been obvious to combine Shi's teachings with the system of Shiraogawa to obtain the invention as specified in claims 7, 14, 19, and 27.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

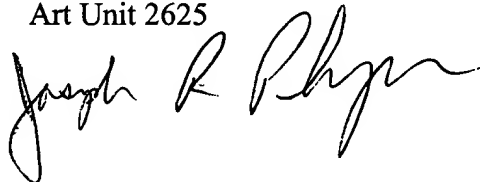
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2625



jrp